

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Thomas Lloyd Hiller
David Albert Rossetti

Serial No.: 10/799,569

Filed: March 12, 2004

For: METHOD AND APPARATUS FOR
PROVIDING A LOW-LATENCY, HIGH-
ACCURACY INDICATION-TO-SPEAK

Confirmation No. 6464

Examiner: J. Young

Group Art Unit: 2618

Att'y Docket: 2100.005300

Customer No. 46290

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION
UNDER 37 C.F.R. § 1.137(B)

Sir:

A Final Office Action was mailed June 21, 2007 for the above-referenced application. The Final Office Action set forth a deadline for response of **September 21, 2007**.

A Notice of Appeal was filed on December 21, 2007. A copy of the Notice of Appeal is accompanied herewith. In the body of the Notice of Appeal, the Director was given authorization to deduct any fees under 37 CFR 1.16 to 1.21 if required for any reason from Williams, Morgan & Amerson's Deposit Account 50-0786. However the application was abandoned for failure to request an extension of time.

Applicant respectfully requests that the referenced application be revived pursuant to 37 C.F.R. § 1.137 due to this unintentional circumstance, and the accompanied response be entered.

Serial No. 10/881,932

Adjustment date: 03/17/2009 CKHLOK
12/12/2008 INTFSW 00002237 500786 10799569
01 FC:1453 1620.00 CR

It is believed that a fee for \$1,620.00 pursuant to 37 C.F.R. § 1.17(m) is due as cost for filing this petition.

However should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason, the Commissioner is authorized to deduct said fees from Williams, Morgan & Amerson Deposit Account No. 50-0786/2100.005300

Respectfully submitted,

Date: December 11, 2008

/Mark W. Sincell/
Mark W. Sincell, Ph.D.
Reg. No. 52,226
Williams Morgan & Amerson, P.C.
10333 Richmond Avenue, Suite 1100
Houston, TX 77042
(713) 934-7000
(713) 934-7011 (Fax)

AGENT FOR APPLICANTS

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND											
1 Date of Request: <u>3/16/09</u>		2 Serial/Patent # <u>10/799,569</u>									
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
	Filing			\$							
	Amendment			\$							
	Extension of Time			\$							
<input checked="" type="checkbox"/>	Notice of Appeal/Appeal			\$							
<input checked="" type="checkbox"/>	Petition		12/11/08	\$ 1,620.00							
	Issue			\$							
	Cert of Correction/Terminal Disc.			\$							
	Maintenance			\$							
	Assignment			\$							
	Other			\$							
			7 TOTAL AMOUNT OF REFUND	\$1,620.00							
10 REASON:		8 TO BE REFUNDED BY:									
	Overpayment	<input type="checkbox"/> Treasury Check									
	Duplicate Payment	<input checked="" type="checkbox"/> Credit Deposit A/C #:									
		9 <table border="1" style="display: inline-table; text-align: center; width: 150px;"> <tr> <td style="width: 20px;">5</td> <td style="width: 20px;">0</td> <td style="width: 20px;">--</td> <td style="width: 20px;">0</td> <td style="width: 20px;">7</td> <td style="width: 20px;">8</td> <td style="width: 20px;">6</td> </tr> </table>			5	0	--	0	7	8	6
5	0	--	0	7	8	6					
<input checked="" type="checkbox"/>	No Fee Due (Explanation):										
<u>paid unnecessary petition fee</u>											
11 REFUND REQUESTED BY:											
TYPED/PRINTED NAME: <u>Joan Olszewski</u>		TITLE: <u>Petition Examiner</u>									
SIGNATURE: _____		PHONE: <u>571-272-7751</u>									
OFFICE: <u>Office of Petitions</u>											
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****											
APPROVED: <u><i>CKH</i></u>		DATE: <u>3/17/09</u>									

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to: